

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

***** 333.5123.amended THIS AMENDED SECTION IS EFFECTIVE JULY 4, 2016 *****

333.5123.amended Initial examination of pregnant woman or woman recently delivering infant; test specimens required; exceptions; record; availability of test results and records.

Sec. 5123. (1) A physician or an individual otherwise authorized by law to provide medical treatment to a pregnant woman shall take or cause to be taken, at the time of the woman's initial examination, test specimens of the woman and shall submit the specimens to a clinical laboratory approved by the department for the purpose of performing tests approved by the department for sexually transmitted infection, HIV or an antibody to HIV, and hepatitis B. If, when a woman appears at a health care facility to deliver an infant or for care in the immediate postpartum period having recently delivered an infant outside a health care facility, no record of results from the tests required under this subsection is readily available to the physician or individual otherwise authorized to provide care in such a setting, then the physician or individual otherwise authorized to provide care shall take or cause to be taken specimens of the woman and shall submit the specimens to a clinical laboratory approved by the department for the purpose of performing department approved tests for sexually transmitted infection, HIV or an antibody to HIV, and hepatitis B. This subsection does not apply if, in the professional opinion of the physician or other person, the tests are medically inadvisable or the woman does not consent to be tested.

(2) The physician or other individual described in subsection (1) shall make and retain a record showing the date the tests required under subsection (1) were ordered and the results of the tests. If the tests were not ordered by the physician or other person, the record shall contain an explanation of why the tests were not ordered.

(3) The test results and the records required under subsection (2) are not public records, but shall be available to a local health department and to a physician who provides medical treatment to the woman or her offspring.

History: Add. 1988, Act 491, Eff. Mar. 30, 1989;—Am. 1994, Act 200, Imd. Eff. June 21, 1994;—Am. 2016, Act 68, Eff. July 4, 2016.

Popular name: Act 368